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Redevelopment Board Minutes 08/25/2008

Arlington Redevelopment Board
Minutes of August 25, 2008

Members Present:

Andrew West, Chair
Christopher Loret, Vice Chair
Roly Chaput
Bruce Fitzsimmons

Also Present:

Kevin O'Brien
Laura Wiener

Andy West called the meeting to order at 7:05 and announced the opening of a public hearing for an application by Metro PCS to obtain a special permit to install a wireless communication facility at 47 Mystic St. Paul DeCoste and Rahesh Goel presented the proposal for Metro PCS. They indicated the location of the antennae saying they would all be 6 to 8 inches below the roofline and pointed out that the equipment would be housed within an enclosure in the location that Cingular had previously been located. They said that Cingular was no longer located on the building.

The Board had many questions concerning the facility because the plans and photos did not clearly represent the appearance. The Board reviewed the LEED checklist which the applicant brought to the hearing.

Bruce Fitzsimmons pointed out that there was no date on the plan labeled Z1, and asked that it be corrected. He also asked that the Metro PCS agree to re-paint the facility periodically to maintain the match in color with the materials on which it is mounted.

Tom Allen who is a member of the 47 Mystic St condominium board indicated that he had no objection to the installation.

Bruce Fitzsimmons moved that the permit be granted with the general and special conditions included in the Director's Report and that the applicant agree to re-paint the facility periodically to maintain the match in color with the materials on which it is mounted, and that the tops of the antennae be mounted no less than 8 inches below the roof line. Roland Chaput seconded the motion and the Board voted 4 to 0 to approve.

At 8:00, Andy West then opened a new hearing and asked the same gentlemen to from Metro PCS to present their proposal for a wireless communication facility at 929 Concord Turnpike, St. Paul Lutheran Church. In response to Board questions, it was determined that the cladding of the equipment enclosure which looks like brick is fiberglass and that the cables from the equipment enclosure to the bell tower run over the roof in a cable tray mounted several inches above the roof. They were asked why it could not be run under the roof as the other antenna cables were.

Ross Goodman, Minister at St. Paul Lutheran Church, indicated that he was under the impression that the crawl space under the roof was too small to accommodate another set of cables. He also pointed out that although the equipment appeared to be blocking a window in the church, the window was stained glass and light would still be allowed to shine in the window. He indicated further that he preferred that the antennae be mounted as close to the bell tower wall surface as possible.

Sharon Gowan, a neighbor asked if the installation required the cutting of any trees and said she hoped it wouldn't affect wildlife.

After a description of what the cable tray would look like, Chris Loret asked that the cable tray be mounted on the lower roof at the location where it meets the upper roof. Conrad Fagone, a church member indicated that he thought the elevator penthouse, adjacent to the bell tower might block the cables coming from the lower roof.

Bruce Fitzsimmons moved that the Board grant the special permit subject to the general and special conditions shown in the Director's Report and, that the facility shall be painted to match the bell tower to reduce its visibility, and the applicant shall re-paint the facility as needed in order to maintain the match in color, and that the antenna shall be mounted on the two sides of the bell tower that face the Concord Turnpike and Rhinecliff Street, and that the cables and cable raceway shall be mounted on the lower section of roof (on the Concord Turnpike side of the bell tower) where it meets the higher section of roof unless in the judgment of the Planning Director, it is not possible. Roly Chaput seconded the motion and the Board voted 4 to 0 to approve.

At 9:00, Andy West opened the public hearing for a wireless communication facility at 4 Winslow Street. Michael Johnson, from Fiber Tower represented the applicant. Fiber Tower proposed to put one antenna, one foot square, mounted on the building penthouse. Kevin O'Brien asked about removing the pipe to which the antenna is mounted, but the applicant said it would destabilize the antenna which must be aimed very precisely.

Chris Loret moved that the special permit be granted subject to the general and special conditions as follows:

General Conditions

1. The final plans and specifications approved by the Board for this permit shall be the final plans and specifications submitted to the Building Inspector of the Town of Arlington in connection with this application for building permits. There shall be no deviation during construction from the approved plans and specifications without the express written approval of the Arlington Redevelopment Board.
2. The Board in issuing the permit to Fiber Tower Corp. maintains continuing jurisdiction over this permit and after a duly advertised public hearing may attach other conditions or modify these conditions as it deems appropriate in order to protect the public interest and welfare. No changes shall be allowed to this wireless communications facility without the express approval of the Board.
3. All utilities serving or traversing the site (including electric, telephone, cable, and other such lines and equipment) shall be underground.
4. All utility work off site in public rights-of-way of the Town of Arlington shall be undertaken in accordance with the provisions of the Bylaws of the Town.
5. Upon the issuance of the building permit the Applicant shall file with the Building Inspector and the Department of Community Safety the names and telephone numbers of contact personnel who may be reached 24 hours each day during the construction period.

Special Conditions

1. In accordance with the provisions of Section 10.11(b), the applicant is required to post bond or other security satisfactory to the Board in the amount of \$20,000 to guarantee the removal of all telecommunications equipment allowed under the provisions of the Special Permit. No building permit will be issued until a bond or other security acceptable to the Department has been provided.
2. The wireless communications facility shall be maintained in good and safe condition. It shall be kept in compliance with all

applicable FCC standards, with the Telecommunications Act of 1996, as amended, and with all state and federal regulations relating to potential health hazards from wireless communications equipment.

3. The antennae and pipe on which it is mounted shall be painted to match the rooftop penthouse, to reduce its visibility. Additionally, it shall be placed below the roofline of the penthouse on which it is mounted.

Bruce Fitzsimmons seconded the motion and the Board voted 4 to 0 to approve.

The Board next reviewed the minutes of past meetings. Chris Loretto moved acceptance of the minutes of the June 9, 2008 meeting. Bruce Fitzsimmons seconded the motion and the board voted 4 to 0 to approve.

Roly Chaput moved acceptance of the minutes of the July 28, 2008 meeting. Bruce Fitzsimmons seconded the motion and the board voted 3 to 0 to approve (Andy West was not present at the July 28 meeting).

Bruce Fitzsimmons moved acceptance of the minutes of the August 11, 2008 meeting. Chris Loretto seconded the motion and the board voted 4 to 0 to approve.

Chris Loretto brought up a development underway at 197 Broadway, which had recently been granted a building permit. He stated that he believed that the additional stories proposed for the building would alter its facade and therefore require that the development undergo environmental design review before the ARB prior to a building permit being issued. He was concerned that the parking area previously used for businesses at the site had been removed, eliminating any off-street parking for the businesses in the proposed development. The board discussed the possibility of appealing the issuance of the building permit but did not act to do so, leaving the decision to a future meeting. Chris Loretto asked the Planning Director to consult with Town Counsel to determine the process the board would take if it were to appeal the permit.

He was concerned that there was not adequate parking for the proposed development and asked that the Planning Director consult with Town Counsel to determine if further action were warranted.

The meeting adjourned at 10:15 pm.

Respectfully submitted,
Kevin J. O'Brien